

NOT FOR PUBLICATION

JAN 10 2008

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RAYMUNDO GUTIERREZ-PADILLA,
a.k.a. Raymond Padilla; et al.,

Defendant - Appellant.

No. 05-10784

D.C. No. CR-04-40122-CW

MEMORANDUM^{*}

Appeal from the United States District Court
for the Northern District of California
Claudia Wilken, District Judge, Presiding

Submitted January 7, 2008 ^{**}

Before: O'SCANNLAIN, SILVERMAN and GRABER, Circuit Judges.

A review of the record and the opening brief indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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standard). Accordingly, respondent's unopposed motion for summary disposition is granted.

AFFIRMED.